

JOBS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 5 minutes.

Mr. GOHMERT. Thank you, Madam Speaker.

It's always an honor and privilege to speak in this body. There has just been so much information about the American Jobs Act that the President has touted that he demanded that we pass here in this room, and at the time he had no American Jobs Act.

The next day, Friday, he had spent millions of dollars, taxpayer dollars, running around the country demanding that people pass his bill. On Saturday, the same thing, all weekend, running around telling people to pass his American Jobs Act when there was no such bill.

Monday afternoon, very late, there became a bill. It's hard to believe that this is what came out of the White House because it does not represent what the President said he wanted to do, said he believed in. I'm sure he doesn't have time to go through and actually read and see that the things he's saying in his speech are completely opposite of what he's doing in his so-called American Jobs Act, but that's why, after 6 days of being beat up verbally by the President for not passing his American Jobs Act and finding that there was no such American Jobs Act on file here in the House, I felt like I needed to help the President by creating an American Jobs Act that really will create jobs. So I filed a two-page American Jobs Act that will do more than anything the President has talked about or put in writing to create jobs in America.

But just since the President is obviously not aware of what's actually in his bill based on what he's saying, in the limited time we have here, I wanted to touch on some of these things.

For example, the President said over and over and over that he wants to go after these greedy, big oil companies like British Petroleum, Exxon, Shell, those big companies, and that his American Jobs Act, his bill, actually will do that. It will go after their profits. He probably has no clue that the fact is the three pages of deductions that are eliminated for oil companies, they're basically for oil companies that produce less than a thousand barrels of oil a day. They don't even apply to the people that the President says he's going after for these unseemly profits they're making.

I'm sure he's also not aware, but the fact is that over 94 percent of all oil and gas wells drilled on the continental U.S. are done by independent oil producers who these three pages will devastate and put most out of business. And so the President, by these three pages, that I'm sure he doesn't really understand what they do, but the fact is they'll put the independent oil producers out of business.

They will affect the major oil companies because once over 94 percent of all

oil and gas wells in America and the continental U.S. are stopped, then the major oil companies that he's demonized will actually make more money than they've ever made in their history, and it will be the middle hard-working Americans that will pay the biggest price. They're the least able to afford dramatically higher gasoline prices, but that's what will happen.

We are also told that we're going to go after the millionaires and billionaires that have all this money and not paying their fair share. Now, to me, if we're going to make sure everybody pays their fair share, and you've got somebody like Warren Buffett that pays a 15 percent capital gains tax, why don't we make everybody's tax 15 percent? Everybody in America ought to have some financial interest in seeing this government is accountable. That's what should happen.

Instead, at pages 134 and 135 of his bill—and, again, it has to be filed in the House because it's a revenue-raising bill and under the Constitution he'll have to start here—it's not on file. There hasn't been one Democrat willing to file this disaster of a bill that the President is out there beating us up over. Actually, he's just saying pass the American Jobs Act, which is my two-page bill that really will create jobs.

□ 1110

But people need to know, Madam Speaker, that the definition in here apparently of a millionaire and billionaire is anybody who's married and makes over \$125,000 a year. For some of us, \$125,000 a year is not a millionaire or billionaire or gazillionaire. This is somebody who is paying taxes. They're paying their fair share. They're paying over 30 percent of their income in taxes. Well, why shouldn't we just say, all right, ultra-rich like Warren Buffett, quit fighting not to pay the billions of dollars you already owe in taxes, just write the check.

I think if people will go read the President's bill, they will find out we need to pass the American Jobs Act that's on file with the House. That's my bill.

REPEAL 3 PERCENT WITHHOLDING PROVISION

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. HERGER) for 5 minutes.

Mr. HERGER. Madam Speaker, the 3 percent withholding provision, which will come into effect if Congress does not act, essentially forces businesses that have contracts with the government to forgo 3 percent of their payments as a downpayment on their tax bill. This represents yet another burden on our Nation's small businesses and job creators, the lifeblood of our economy.

As a small businessman, I know firsthand about the negative impact of burdensome taxes and cumbersome regula-

tions. Many small businesses that contract with the government operate on very slim profit margins, so a 3 percent tax would create serious cash flow problems for them at a time when so many are struggling. Aside from that, this provision will actually cost the government money. Federal, State, and local governments are already facing unprecedented deficits, and yet agencies will have to create new collection systems and may face higher costs for goods and services if this is not repealed. The Department of Defense has said that for the DOD alone, the provision will cost \$17 billion to implement. Madam Speaker, that is \$7 billion more than the total revenue the tax is expected to raise. In another example of Washington math, the provision will force the government to spend more money and end up eliminating jobs and hurting small businesses.

Congress can certainly do better. We must do better. Twenty million Americans are out of work, and our small businesses must have the certainty they need to create more jobs. We cannot punish law-abiding businesses because a few contractors do not pay their taxes. Instead, the government should stop awarding government contracts to businesses that do not pay. To that point, the OMB and the Treasury Department have announced several initiatives to prevent contracts from going to companies that are delinquent on their taxes.

Madam Speaker, we're looking for something we can do right now to help job creation in America. Well, this is it. Repealing the 3 percent withholding provision will provide a significant benefit to small businesses just by getting Washington out of their way. If we don't repeal it, we will put small businesses, jobs across America, and our efforts at economic recovery at greater risk. It's time to get this harmful job-killing provision off the books forever.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 15 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day.

Once again we come to ask You for wisdom, patience, peace, and understanding for the Members of this people's House. At a time when once again